

DISTRICT OF OREGON,
STATE OF OREGON

ss: AFFIDAVIT OF CYNTHIA M. CHANG

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, Cynthia M. Chang, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a Special Agent and Certified Fire Investigator with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have so been employed since June 2001. I am presently assigned to the ATF Portland Field Office in the state of Oregon. I am a law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516. I was trained as an ATF Special Agent at the Federal Law Enforcement Training Center in Glynco, Georgia. My training included subjects such as fire and arson investigations, explosives investigations, firearms trafficking, narcotics trafficking, and investigative techniques and evidence derived therefrom, and the execution of search and arrest warrants. Additionally, as an ATF Certified Fire Investigator, I completed a rigorous two-year program involving fire origin and cause determination, fire dynamics, thermodynamics, fluid dynamics, chemistry, and material sciences. As such, I have authored over 100 fire “Origin & Cause” determination reports and have investigated over 200 fire scenes.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for Gavaughn Gaquez Streeter-Hillerich (STREETER-HILLERICH) for arson resulting in the

malicious damage of real or personal property used in interstate commerce in violation of 18 U.S.C. § 844(i), and for attempting to maliciously damage real property of an institution receiving Federal financial assistance in violation of 18 U.S.C. § 844(f)(1). As set forth below, there is probable cause to believe that STREETER-HILLERICH committed arson and attempted arson resulting in the malicious damage of real or personal property used in interstate commerce, by means of fire, in violation of 18 U.S.C. § 844(i), and attempted the malicious damage of real property of an institution receiving Federal financial assistance, by means of fire, in violation of 18 U.S.C. § 844(f)(1).

Applicable Law

3. Title 18 United States Code Section 844(f)(1) provides that it is unlawful to maliciously damage or destroy, or attempt to damage or destroy, by means of fire, any building, or other personal or real property in whole or in part possessed by any institution or organization receiving Federal financial assistance. Title 18 United States Code Section 844(i) provides that it is unlawful to maliciously damage or destroy, or attempt to damage or destroy, by means of fire, any building, or other real or personal property used in interstate commerce.

Statement of Probable Cause

4. The information stated herein is based on my own personal involvement in this investigation, as well as my discussions with other law enforcement officers involved in this investigation, and information I have read that is contained in written reports pertaining to this investigation. This affidavit does not include all facts known to me regarding this investigation, but contains only those facts which I believe are sufficient to establish the requisite probable cause.

5. Following George Floyd's death on May 25, 2020, in Minneapolis, Minnesota, Nationwide protests erupted that eventually extended to Portland, Oregon. The protests have, at times, included violence, civil disorder, arson, and looting.

7. On May 29, 2020, a group of people gathered for a protest event near Peninsula Park in Portland, Oregon, and walked to the Multnomah County Justice Center (hereinafter, "Justice Center") located at 1120 SW 3rd Avenue in Portland, Oregon. Once the group arrived, a smaller contingent broke windows and people entered the building's locked and secured Corrections Records Office. The individuals spray-painted portions of the office, damaged computer equipment and other office equipment and furniture, damaged interior windows, and started fires within the office. Ever since that event and through the morning of June 26, 2020, various protests, unlawful assemblies, fires, and riots continued to take place throughout the city of Portland, Oregon, for 28 consecutive days. They continue as of the writing of this affidavit, currently at 90 consecutive days.

8. During the early morning hours of June 26, 2020, a group of demonstrators were present around Portland Police Bureau's (PPB) North Precinct located at 449 NE Emerson Street Portland, Oregon. The building located at this address contains the PPB North Precinct in the southern portion of the building and various businesses in the northern portion of the building.

9. Upon a review of video footage and investigative reports from PPB, I learned that at approximately 2:16AM on June 26, 2020, a suspect is seen intentionally setting a fire at the northwest exterior corner of the building. The fire was set on top of a large garbage dumpster that had been flipped backwards and pushed up against the wall of the building where plywood had been affixed to windows to minimize damage and/or prevent break-ins from the ongoing

civil unrest. Due to the fire, the building sustained damage in the form of peeling paint, soot deposition, burned plywood that was affixed to the window, and burn damage to the awning above. Officers used a fire extinguisher on the fire in an attempt to put it out. The smoldering fire was finally doused by firefighters using a hose.

10. The building is divided amongst various, privately-owned businesses as well as PPB's North Precinct. The fire, if it were allowed to spread to the interior of the structure, would have threatened the safety of the police officers and the persons that were in custody at the precinct at the time, as well as responding firefighters and other emergency response personnel. The fire was directly related to the ongoing civil unrest in the city of Portland, Oregon and was intentionally set by a subject engaging in criminal activities related to the protest. At approximately 2:21AM it was reported that the fire had been moved away from the building, but that it was still burning in the dumpster. Investigators would later determine that the portion of the building affected by the fire was leased to Mid-K Beauty Supply #1, a retail business and beauty supply store, with an address of 5408 NE Martin Luther King Jr. (MLK) Boulevard, Portland, Oregon.

11. Since the fire occurred outside of normal business hours, Mid-K Beauty Supply #1 was unoccupied at the time of the incident. However, it was learned that the PPB's North Precinct was staffed with approximately 15 police personnel and was holding four (4) individuals in custody.

12. During the course of the investigation, it was learned that the entire building is owned by the City of Portland. The specific retail space for Mid-K Beauty Supply #1 is leased from the City of Portland by the Woonse Corporation. Investigators have confirmed this by

viewing the lease agreement. Mid-K Beauty Supply #1 is a business, registered with Oregon's Secretary of State. I am aware that Mid-K Beauty Supply carries a variety of products including skin care and hair care products for retail sale. I am aware that several of these items have travelled in interstate commerce to be made available for sale at this, 5408 NE MLK Boulevard, Portland, Oregon address. The Woonse Corporation is also registered with Oregon's Secretary of State with the 5408 NE MLK Boulevard, Portland, Oregon address. There was no reported damage to the interior of the structure or to any contents within the business or to the interior of PPB's North Precinct.

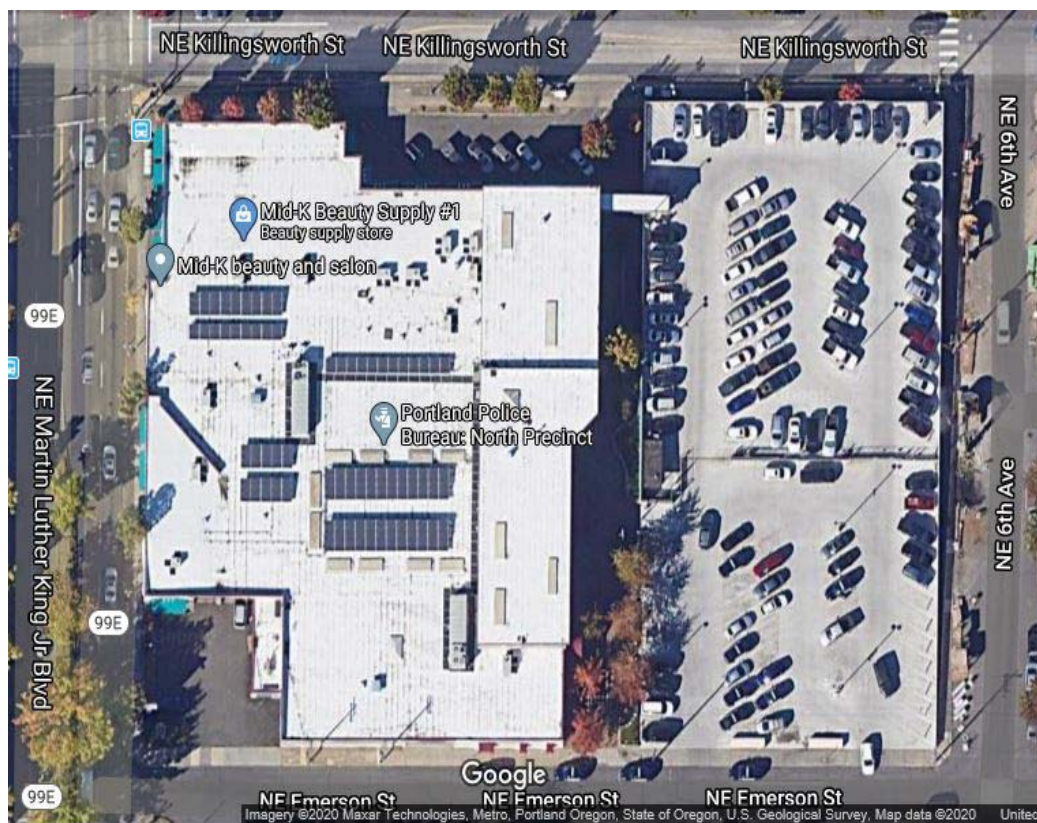


Figure 1: Google Satellite Image of structure containing Mid-K Beauty Supply #1 and Portland Police Bureau North Precinct



Figure 2: Photograph depicting the location where the rolling metal dumpster had been pushed up against the plywood, and corresponding fire damage to the exterior of Mid-K Beauty Supply #1

13. The City of Portland, the owner of the damaged building, received and is continuing to receive federal financial assistance. Based on documentation I have reviewed from the Justice Department's, Office of Justice Program (OJP), the City of Portland is receiving approximately 10 Federal monetary awards and financial assistance from OJP. The OJP focuses on crime prevention through research and development, assistance to state, local, and tribal criminal justice agencies, including law enforcement, corrections, and juvenile justice through grants and assistance to crime victims. The City of Portland has active federal grants in the amount of approximately \$8.3 million. I have also reviewed documentation provided by the U.S. Treasury that the City of Portland received and distributed approximately \$114 million in CARES Act funding, which is Federal financial assistance.

14. On June 27, 2020, PPB learned that a private citizen was willing to meet with investigators to provide video evidence of the protest activity on June 26, 2020, in the area of NE MLK Avenue and NE Killingsworth Street. The citizen preferred to remain anonymous. Law enforcement met with the citizen on July 1, 2020, to interview the individual about his/her knowledge of the fire that was set to the building that housed the PPB North Precinct and various retail businesses.

15. The citizen informed law enforcement that his/her video camera was used to record protest activities around the city. On the evening of June 25 and in the early morning hours of June 26, 2020, he/she captured the setting of the fire to the Mid-K Beauty Supply #1 business located in the northern half of the building. The citizen informed law enforcement that he/she also captured the vehicle the suspect got into after lighting the fire. PPB collected the footage from the citizen.

16. On July 2, 2020, PPB reviewed the video footage and located seven (7) individual video clips that showed the suspect lighting the fire and his activities after the fire had been lit. The following is a summary of the pertinent portions of those clips.

- Video Clip #00027 33-seconds: The primary suspect, who was eventually identified as STREETER-HILLERICH, and five other suspects began to look at the overturned dumpster that had been pushed against the wall of the Mid-K Beauty Supply #1 store.
- Video Clip #00028 13-seconds: STREETER-HILLERICH was observed on the eastern side of an overturned dumpster, then lighting something inside of a tire that had been placed on top of the dumpster; it appeared it was newspaper-like

material. A piece of this material blew out of the tire and onto the ground. The newspaper-like material that was expelled was on fire as it landed on the ground. STREETER-HILLERICH leaned down, picked it up, and placed it back in the center of the tire on the dumpster. Three (3) additional subjects stood close to the dumpster watching STREETER-HILLERICH do this.

- Video Clip #00030 24-seconds: STREETER-HILLERICH had the tire on the western portion of the overturned dumpster and he was trying to light material in the center of the tire. The same subjects appear to be assisting STREETER-HILLERICH by putting items into the center area of the tire while STREETER-HILLERICH tried to light them on fire.
- Video Clip #00031 1 minute 51 seconds: STREETER-HILLERICH and the other three (3) subjects got the fire going and it appeared as if the contents of the dumpster or the plywood that was affixed to the building to protect the windows had caught fire. STREETER-HILLERICH moved the tire around to where the fire was most active; another subject joined the group to observe the fire. STREETER-HILLERICH was talking to the people watching the fire and it seemed as if he directed them to another area. Another suspect, hereafter referred to as suspect #2, entered the area with a rubber trash can and placed it on top of the growing fire. STREETER-HILLERICH pulled down the black cloth that was covering his face to talk to the increasing group of onlookers. The video zoomed into STREETER-HILLERICH's face, which was seen in the glow of the fire.

- Video Clip #00033 1 minute 26 seconds: At this point, the fire had grown significantly in size. Suspect #2 ran back to the dumpster and placed his body between the onlookers and the flaming dumpster. STREETER-HILLERICH then ran back to the western side of the burning dumpster and began waving people away and pointing his finger to move away from the fire. STREETER-HILLERICH then caught a t-shirt that an onlooker attempted to use to put the fire out; it appeared as if STREETER-HILLERICH was trying to prevent the onlooker from extinguishing the fire.
- Video Clip #00035 1 minute 7 seconds: The fire was still burning with a group of onlookers watching it. Law enforcement took steps to clear the volatile crowd with crowd-control munitions. The crowd of protesters began to disperse from the area. The video then showed the parking lot of the 76-gas station located across the street from the fire described above. A maroon, Mitsubishi Galant was parked in the southern part of the lot facing south in a parking spot. The vehicle was observed backing up into the parking lot and the vehicle's license plate was Oregon License 661DCP.
- Video Clip #00036 11 seconds: The maroon, Mitsubishi Galant was observed backing into the lot and driving westbound in the lot towards NE MLK Avenue. The car had three stickers in the rear window, one large sticker in the center towards the bottom, and one on each lower corner. The trunk of the vehicle had two stickers: one in the upper right-hand corner with the words, "No Fascist USA," and one in the lower-left corner with an unidentifiable symbol.



Figure 3: Photograph depicting a tire being placed on top of the ignited dumpster – with a red circle around a tattoo on the right-inner forearm.



Figure 4: Photograph depicting Gavaughn Gaquez Streeter-Hillerich – with a red circle around a tattoo on the right-inner forearm.



Figure 5: Photograph depicting “STREETER-HILLERICH” with mask pulled below his mouth, wearing a unique style of goggle.



Figure 6: Photograph depicting “STREETER-HILLERICH” attempting to ignite a fire on/in a dumpster pushed against the plywood affixed to Mid-K Beauty Supply #1 located at 5408 NE Martin Luther King Jr. Boulevard, co-located within a building also containing the PPB North Precinct located at 449 NE Emerson Street, Portland, Oregon.

17. PPB contacted the citizen that recorded this video to ask him if he/she specifically saw the suspect, referred to as STREETER-HILLERICH (i.e., STREETER-HILLERICH), get into the maroon Mitsubishi Galant; the citizen relayed that STREETER-HILLERICH got into the passenger side of that vehicle. The citizen further stated a white female drove the car away from the scene with STREETER-HILLERICH in the front passenger's seat.

18. By researching the registered owner of the maroon Mitsubishi Galant, it was learned the vehicle had recently been sold by a private party using Facebook Messenger. The vehicle buyer used a Facebook account associated with the screen name "Portland Vibez." Law Enforcement queried the Facebook account associated with the screen name "Portland Vibez," and located the Facebook account: Facebook.com/trey.higgins.3152. The subject of the majority of the images matched STREETER-HILLERICH's appearance. Law Enforcement was able to identify the suspect as "Gavaughn Gaquez Streeter-Hillerich." The seller of the Mitsubishi Galant was shown a photograph of STREETER-HILLERICH and positively identified STREETER-HILLERICH as the person who purchased the Mitsubishi approximately three (3) weeks prior.

19. On July 7, 2020, PPB applied for and obtained an arrest warrant for STREETER-HILLERICH as well as search warrants for a 2003 red Mitsubishi Galant vehicle bearing Oregon license plate 661DCP and for Facebook account trey.higgins.3152, all issued by the Circuit Court for the State of Oregon, County of Multnomah.

20. On July 8, 2020, STREETER-HILLERICH was taken into custody on his arrest warrant related to the arson fire on June 26, 2020, at the Portland Police Bureau North Precinct. Law Enforcement informed STREETER-HILLERICH everything was audio and video recorded,

to which he acknowledged that he understood. After being read his Constitutional Rights Advice (Miranda) form aloud, he was asked if he understood his rights, and he said "I have some questions." STREETER-HILLERICH stated he did have a lawyer and wanted to know if he could call his lawyer and have them there while investigators asked him questions. Officers explained to STREETER-HILLERICH if he wanted his lawyer present, the procedure for that would be investigators would not speak with him, and he would be booked into jail.

STREETER-HILLERICH was asked if he wanted to talk or if he wanted to have his lawyer present; STREETER-HILLERICH stated, "I will talk to you; I have nothing to hide." Then STREETER-HILLERICH was read each individual element of the rights advice and asked him if he understood each one, he answered in the affirmative for each component. The following is a summary of the recorded interview:

- According to STREETER-HILLERICH, the original intention of the organizer(s) of the protest that evening was to occupy PPB North Precinct.
 - STREETER-HILLERICH initially denied involvement with the fire at Mid-K Beauty/North Precinct; however, he subsequently admitted that he did ignite the dumpster and another individual provided the tire as additional fuel. STREETER-HILLERICH explained the tire did not appear to be igniting so other individuals added additional flammable materials to produce a more significant fire.
- STREETER-HILLERICH further stated he had a lighter on him and attempted to ignite the fire; however, his lighter did not work and another individual actually lit the fire.

- STREETER-HILLERICH stated someone poured alcohol on the fire, which he knew was not going to extinguish the fire. STREETER-HILLERICH stated the fire spread because people were pouring the chemicals they typically used to medically treat protestors. STREETER-HILLERICH explained he did not think the fire would extend beyond the dumpster because it was locked. STREETER-HILLERICH also stated he was not trying to keep other people from the fire and he thought it would remain a “controlled fire” until it quickly spread.



Figure 7: Depicting the fire as it burned and the crowd, including Streeter-Hillerich, surrounding it.

- When asked if he was surprised the fire extended to the canvas awning of the building, STREETER-HILLERICH advised that he was. He also added that the fire burned him, subsequently showing investigators a burn mark located on his left forearm, approximately four (4) inches above his wrist.

- STREETER-HILLERICH explained that he was angry because tear gas had been used against him. He believed igniting the dumpster would assist him in controlling his anger and getting his anger out. When asked if he knew anyone else that was present at the fire, he advised some of the individuals were “anarchists” and a couple of people were leaders with the Rose City Justice organization.

21. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Parakram Singh, and AUSA Singh advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

Conclusion

22. Based on the foregoing, I have probable cause to believe, and I do believe, that STREETER-HILLERICH maliciously damaged and attempted to damage and destroy by means of fire, a property engaged in interstate commerce in violation of 18 U.S.C. § 844(i). STREETER-HILLERICH also maliciously attempted to damage and destroy by means of fire, a building belonging to City of Portland, which is an institution receiving federal financial assistance, in violation of 18 U.S.C. § 844(f)(1). I therefore request that the Court issue a criminal complaint and arrest warrant for STREETER-HILLERICH.

//


//

Request for Sealing

23. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested criminal complaint and arrest warrant. I believe that sealing these documents is necessary because the information contained therein is relevant to an ongoing investigation, and premature disclosure of the affidavit, the criminal complaint, and the arrest warrant may adversely affect the integrity of the investigation.

CYNTHIA M. CHANG
Special Agent/Certified Fire Investigator,
ATF

Sworn to via telephone pursuant to Fed. R. Crim. P. 4.1 at 8:20 p.m. this 26th day of August 2020.



HONORABLE YOULEE YIM YOU
United States Magistrate Judge